

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION
NO. 05-30052-MAP

)
CARNELL GARVIN,)
Plaintiff,)
)
v.)
)
D.A. SULLIVAN & SONS, INC.,)
Defendant/Third-)
Party Plaintiff,)
CONSTRUCTION SAFETY)
SERVICES, INC.,)
Defendant,)
)
v.)
)
A-DECK, INC.,)
Third-Party Defendant.)
)

JOINT MOTION TO EXTEND

All parties request that the Scheduling Order be amended to permit additional time to conduct discovery. Specifically, the parties request the following changes:

1. All written discovery and non-expert depositions completed by June 30, 2006;
2. Plaintiff's expert disclosures as required by Rule 26(a)(2) by July 3, 2006;
3. Defendant's expert disclosures by August 15, 2006; and
4. All expert depositions by September 29, 2006.

In support of this motion, the parties state that they have been working cooperatively; however, the existence of out-of-state

parties; the busy trial schedules of attorneys; and locating former employees of the parties have made scheduling depositions difficult. The deposition of the plaintiff and two employees of D.A. Sullivan have already been completed. Depositions of A-Deck employees are scheduled for May 8 and 9, 2006 in Pennsylvania. The parties are hoping to conduct the depositions of Construction Safety Services shortly and continue to search for at least one former employee of D.A. Sullivan, a witness to the accident. Some additional depositions may also be necessary. All parties have been working cooperatively.

Additionally, Construction Safety Services, Inc. has retained new counsel, Campbell, Campbell, Edwards & Conroy. They are expected to file their appearance on April 21, 2006. Predecessor counsel will withdraw.

The parties are in agreement that additional time is needed and jointly request that this motion be allowed.

WHEREFORE, the parties together request that the Scheduling Order be amended as requested.

CARNELL GARVIN
By his attorney,

A-DECK, INC.
By its attorney,

/s/ Andrew R. Duffy

/s/ David M. O'Connor

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CONSTRUCTION SAFETY SERVICES
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/s/ Scott J. Tucker

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Dated: April 21, 2006